



TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

TBPE No F-449

2010 AUG 25 AM 10:42
CHIEF CLERKS OFFICE

August 24, 2010

Office of the Chief Clerk - MC 105
TCEQ
Attn: Charlene Smith - Bldg. F
Team Leader - Notice Team
12100 Park 35 Circle
Austin, TX 78753

Subject: Far Hills Utility District
TCEQ Docket No. 2009-0290-MWD
Publisher's Affidavit for Notice on the
Application for a Temporary Order
LEI Job No. 233-013-108

Dear Ms. Smith:

Enclosed are the TCEQ Publisher's Affidavit for the Notice on the Application for a Temporary Order and an original clipping of the notice published in the Conroe Courier on August 19, 2010 for Far Hills Utility District.

If you have any questions, please call.

Sincerely,

LANGFORD ENGINEERING, INC

Barbara Kernighan, EIT

Enclosures

O:\current proj\Far Hills U D\233-013-108 TCEQ Pub Aff Conroe Courier & Original Clipping 8 24 2010.doc

1080 W. SAM HOUSTON PKWY. N. ♦ SUITE 200 ♦ HOUSTON, TX 77043-5014

PHONE (713) 461-3530 ♦ FAX (713) 932-7505

WWW.LANGFORD-ENGINEERING.NET

TCEQ-OFFICE OF THE CHIEF CLERK
MC-105
ATTN: Charlene Smith
PO BOX 13087
AUSTIN TX 78711-3087

FAR HILLS UTILITY DISTRICT
Consideration of a Temporary Order - 9-15-10 Commission Agenda
TCEQ Docket No. 2009-0290-MWD

AFFIDAVIT OF PUBLICATION

STATE OF TEXAS §
COUNTY OF Montgomery §

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY
2010 AUG 25 AM 10:42
CHIEF CLERKS OFFICE

Before me, the undersigned authority, on this day personally appeared
Amanda Dugger, who being by me duly sworn,
(name of newspaper representative)

deposes and says that (s)he is the Legal Advertising Consultant
(title of newspaper representative)

of the Courier; that said newspaper is regularly
(name of newspaper)

published in Montgomery County, Texas, and of **largest** general circulation in
(County of newspaper publication)

Montgomery County/Countries, Texas;
(List all Counties newspaper is of largest general circulation in)

that the attached notice was published in said newspaper on the following date(s) to wit:

August 19, 2010
(Date or dates of newspaper publication)

Amanda Dugger
Newspaper Representative's Signature

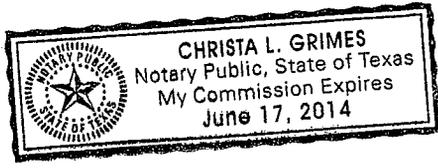
Subscribed and sworn to before me this the 19th day of August,
20 10, to certify which witness my hand and seal of office.

(Seal)

[Signature]
Notary Public in and for the State of Texas

Christa L. Grimes
Print or Type Name of Notary Public

My Commission Expires June 17, 2014



**NOTICE OF PUBLIC HEARING
TO CONSIDER A TEMPORARY ORDER
FOR FAR HILLS UTILITY DISTRICT,
TCEQ DOCKET NO. 2009-0290-MWD**

APPLICATION: Far Hills Utility District ("the District") has applied to the Texas Commission on Environmental Quality ("TCEQ") for a Temporary Order pursuant to Section 5.509 of the Texas Water Code and Title 30, Sections 35.301 - 35.303 of the Texas Administrative Code. The District proposes to discharge 0.23 MGD of treated domestic wastewater to a storm sewer; thence to Lake Conroe from Far Hills Utility District Wastewater Treatment Facility located on the east side of Cude Cemetery Road approximately 1,800 feet south of Farm-to-Market Road 830 in Montgomery County, Texas.

The Temporary Order relating to the discharge of 0.23 MGD of treated domestic wastewater was requested in the event that TPDES Permit No. WQ0014555002 is suspended or revoked. The duration of the Temporary Order would be for two years from the issuance of the Order, and the Temporary Order would require compliance with the same effluent limits as contained in Interim Phase I in the existing TPDES Permit No. WQ0014555002.

The District alleges that if TPDES Permit No. WQ0014555002 is revoked it would have no feasible alternative to discharge wastewater in accordance with Chapter 26 of the Texas Water Code and TCEQ regulations. Approximately 400 units are connected to the District's wastewater treatment plant and, at present, no other nearby treatment plant has available capacity to accommodate the amount of wastewater generated by these connections. The District indicated that the nearest permitted treatment facility, Montgomery County Utility District No. 2, is currently prohibited by agreement with the Commission from accepting any offsite waste (due to its existing high flow volumes). Moreover, pumping and hauling the District's wastewater to a remote facility is not a viable option. The operator of the District's plant estimates the cost to haul the District's wastewater to a remote treatment plant would be approximately \$0.08 per gallon. Because the District currently generates approximately 2 million gallons of wastewater per month, the total cost of pumping and hauling the District's wastewater to a remote site would be at least \$160,000.00 per month. The District alleges it has no feasible alternative to discharge, and sewers and toilets in the district will most certainly back up if the Permit is suspended or revoked and the District's plant cannot continue to operate. In addition, the District and its residents do not have the financial means to pay for this cost. Given these circumstances, if the permit is suspended or revoked, the District alleges that a discharge would be unavoidable to prevent serious injury, severe property damage, and severe economic cost.

PUBLIC HEARING. The Commission will conduct a public hearing on this application at:

9:30 a.m. - September 15, 2010
Texas Commission on Environmental Quality
Room 201S, Building E
12100 Park 35 Circle
Austin, Texas 78753

PUBLIC COMMENT. You may comment either in person, or by submitting written comments. You must submit written comments before the hearing to the Office of the Chief Clerk, MC 105, TCEQ, P.O. Box 13087, Austin, TX 78711-3087. Written comments should include: (1) your name, address, and daytime telephone, and (2) the TCEQ docket number found at the top of this notice.

CONTESTED CASE HEARING. If requested by an affected party with a reasonable request, the TCEQ may grant a contested case hearing on this Temporary Order. The Commission will determine if a party is an affected party with a reasonable request in accordance with Texas Water Code § 5.115(a) and 30 TAC §§ 35.28. A contested case hearing is similar to a court trial, with each party afforded the opportunity to present sworn testimony and other legally admissible evidence and to ask questions of other witnesses. If a contested case hearing is held, the Commission's decision to grant or deny the application will be based on the evidence introduced at the hearing and the applicable law.

To request a contested case hearing, you must furnish the following: (1) your name (or for a group or association, an official representative), mailing address, daytime phone number and fax number, if any; (2) applicant's name and permit number; (3) the statement "[I/we] request a contested case hearing;" (4) a brief and specific description of how you would be affected by the application in a way not common to the general public; and (5) the location and distance of your property relative to the facility, discharge point, and within a reasonable distance along the discharge route. You may also submit your proposed adjustment to the Temporary Order which would satisfy your concerns.

If you submit a written contested case hearing request to the Office of the Chief Clerk before the public hearing, you are encouraged to attend the public hearing to answer any questions the Commission may have.

INFORMATION. A copy of the application for the Temporary Order may be obtained from the Office of the Chief Clerk, MC 105, TCEQ P.O. Box 13087, Austin, TX 78711-3087, in person at TCEQ, 12100 Park 35 Circle, Bldg. F, Austin, Texas 78753 or the TCEQ Region 12 office, 5425 Polk Ave., Ste. H, Houston, TX 77023-1452, (713) 767-3500.

For information concerning the hearing process, contact the Public Interest Counsel, MC 103, TCEQ, P.O. Box 13087, Austin, TX 78711-3087. For additional information, individual members of the general public may contact the Office of Public Assistance at 1-800-687-4040. General information regarding the TCEQ can be found at <http://www.tceq.state.tx.us/>.

Persons with disabilities who need special accommodations at the hearing should call the Office Public Assistance at the number above or 1-800-RELAY-TX (TDD) at least one week prior to the hearing.

Issued: 11th day of August, 2010.

CC 08/19

FedEx® US Airbill

Express
Tracking Number

8582 0563 9387

1 From This portion can be removed for Recipient's records.

Date 8/22/00 FedEx Tracking Number 858205639387

Sender's Name Charles Keenlen Phone 713 461-3530

Company LANGFORD ENGINEERING INC

Address 1050 W SAM HOUSTON PKWY N #200

City HOUSTON State TX ZIP 77043

2 Your Internal Billing Reference

3 To Recipient's Name Charlotte Smith-Blyf Phone 512 331 3313

Company TECO

Recipient's Address Office on the Chel Creek - MCLOS

We cannot deliver to P.O. boxes or P.O. ZIP codes.

Address 13100 Park 35 Circle

City AUSTIN State TX ZIP 78753

Dept./Floor/Suite/Room 0343265896



8582 0563 9387

0215 TEXAS COMMISSION RECIPIENT'S COPY

4a Express Package Service **ENVIRONMENTAL**
 Next business morning - Friday
 Next business day - Saturday
 Next business day - Sunday
 Packages up to 150 lbs.
 FedEx First Overnight
 Earliest next business morning
 delivery to select locations.*
 Saturday Delivery NOT available.

FedEx 2Day **AM 10:39**
 Next business day
 Second business day
 Packages up to 150 lbs.
 FedEx Express Saver
 Third business day
 delivery to select locations.*
 Saturday Delivery NOT available.

4b Express Freight **CLERKS OFFICE**
 Next business day
 Second business day
 Third business day
 Packages over 150 lbs.
 FedEx 3Day Freight
 Third business day
 Saturday Delivery NOT available.
 unless SATURDAY Delivery is selected.

5 Packaging
 FedEx Envelope*
 FedEx Pak* Small Pak, FedEx Large Pak, and FedEx Sturdy Pak.
 FedEx Box
 FedEx Tube
 Other
 * To most locations.

6 Special Handling
 SATURDAY Delivery at FedEx Location
 HOLD Weekday at FedEx Location
 HOLD Saturday at FedEx Location
 Available ONLY for FedEx Priority Overnight and FedEx 2Day to select locations.
 Includes FedEx address in Section 3.
 Does this shipment contain dangerous goods?
 No
 Yes
 As per attached Shipper's Declaration not required.
 Dry Ice (Dry Ice, 9, UN 1845)
 Cargo Aircraft Only
 One box must be checked.

7 Payment Bill to:
 Sender
 Recipient
 Third Party
 Credit Card
 Cash/Check
 Enter FedEx Acct. No. or Credit Card No. below.
 Obtain Recip. Acct. No.
 * Declared value limit \$500.

Total Packages
Total Weight
Total Charges
Credit Card Auth.

8 NEW Residential Delivery Signature Options
 No Signature Required
 Direct Signature
 Indirect Signature
 Package may be left at address may sign for delivery, per applies.
 Anyone at recipient's address, anyone at any delivery address may sign for delivery, per applies.
 If you require a signature, check Direct or Indirect.

519